

Application No.: 10/674,310

Docket No.: 22044-00005-US

REMARKS

Applicant respectfully requests reconsideration in view of the amendment and following remarks. No new matter is involved by any amendment to this application.

The Specification has been amended to correct typographical errors. Claim 1 has been amended to make clear the hand utensil is intended expressly for peeling and pitting fruit. In view of the above amendments, applicant believes the pending application is in condition for allowance.

Claims 1 and 4-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cram, U.S. Patent No. 885,444 (Cram), in view of Bentley, U.S. Patent No. 724,246 (Bentley).

The Examiner cites Cram as teaching a mixing spoon with raised blades and Bentley as teaching an egg beater. Both patents teach the use of blades and slots to facilitate mixing. However, neither reference teaches a hand utensil for peeling and pitting a fruit as required by amended claim 1. Thus, claim 1 and corresponding dependant claims 4-12 are patentably distinguished over the cited references.

Claims 2, 3 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cram and Bentley as applied to claim 1, and further in view of Kupiszewski, U.S. Patent No. 1,288,617 (Kupiszewski). Kupiszewski was cited for disclosure of a retractable knife blade.

Kupiszewski fails to remedy the deficiencies of Cram and Bentley because it likewise fails to teach a hand utensil with slots and ridges for peeling and pitting a fruit as required by the claims. Thus, all pending claims should be allowed.

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Enclosed is a Supplemental Application Data sheet. Applicant's first name is Stephen, and correction is requested.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 22044-00005-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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Enclosure

Supplemental Application Data Sheet